

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE TELADOC HEALTH, INC. SECURITIES : 22cv4687 (DLC)
LITIGATION :
: ORDER
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DENISE COTE, District Judge:

This action was filed on June 6, 2022. On August 17, the case was reassigned to this Court. On August 23, Leadersel Innotech ESG was appointed as lead plaintiff pursuant to the Private Securities Litigation Reform Act of 1995 ("PLSRA"), 15 U.S.C. § 78u-4(a)(3). Lead Plaintiff filed the first amended complaint ("FAC") on September 30. On November 3, the defendants moved to dismiss. Instead of opposing the motion, lead plaintiff filed a second amended complaint (the "SAC") on December 6. Defendants moved to dismiss the SAC on January 20, 2023. In an Opinion and Order of July 5, 2023, the Court granted the defendants' motion to dismiss this case and directed the Clerk of Court to enter judgment for the defendants. Lead plaintiff filed a notice of appeal on August 4.

Under the PSLRA, courts are required to make findings as to the compliance by all parties and attorneys with Rule 11(b), Fed. R. Civ. P., at the conclusion of all private actions arising under the Securities Exchange Act of 1934. 15 U.S.C. § 78u-4(c); ATSI Commc'ns, Inc. v. Shaar Fund, Ltd., 579 F.3d

143, 152 (2d Cir. 2009). An Order of July 24, 2023, required the plaintiffs to file a submission regarding compliance with Rule 11(b) by August 18 and required the defendants to file any response by September 1. On August 18, the plaintiffs submitted proposed findings of fact and conclusions of law regarding the parties' and their counsels' compliance with Rule 11(b). The defendants did not respond.

Having reviewed the parties' submissions, the Court finds that the plaintiffs and their counsel have acted reasonably and in compliance with the requirements of Federal Rule of Civil Procedure 11(b). See ATSI Commc'ns, Inc., 579 F.3d at 152.

Dated: New York, New York
September 7, 2023


DENISE COTE
United States District Judge